Iddah – The Waiting Period of Muslim Women

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Introduction

Methodology:

Before, we delve right into the article itself; let me first set the methodology in order, lest some Muslims get offended.

In my articles, our methodology will be to write the usual benediction "*Sallallaahu 'alayhi wa Sallam*" (peace and blessings be upon him) after the name of the Prophet Muhammad is mentioned only the first time. Subsequent to that, Muslim readers are reminded to say this benediction in their hearts whenever the Prophet's name is written.

The Prophet Muhammad (peace and blessings be upon him), who was the bearer of the Message of the Qur'an was the 'living and walking' Qur'an as per one of his wives Aisha (r). Many of the things he said, did, or approved that were not mentioned in the Qur'an were considered his Sunnat. Examples of Sunnat would be the way and method Muslims call to prayer – *adhan*, or the way Muslims perform *Salat*. His narrations that got complied some two or three hundred years after his death are called *Hadith/Sunnat; terms often used interchangeably.* Some of the most accepted compilations of *Ahadith* in the Sunni sect are Bukhari, Muslim, ibn Majah and al Trimidih, abou Daoud and an Nas'ai.

Given these premises, in this article we shall explore the 'Hearsay Factor' relating to *Iddat*. Although the Qur'an was revealed as a Guide, very few Muslims exert themselves to explore the Message of the Qur'an or attempt to understand the moral trajectory of the Traditions / Sunnah of the Prophet (peace and blessings be upon him). Despite this, there is strong tendency amongst Muslims to argue vehemently, without knowledge, on practically all matters concerning life in this world and in the Hereafter. The extent of their authoritative discourse reaches to such heights that one begins to wonder as to what is right and what is wrong?

Most of the knowledge possessed by mainstream Muslims is based on '**hearsay**'. I have termed the effects of these as the '**Hearsay Factor**' in Islam. My own study and research indicate the effects of these 'Hearsay Factors' are more predominant amongst the Muslims of the Indian Sub-continent. Many of them are also influenced by the local customs and practices, which were believed and followed by their forefathers who converted to Islam many centuries ago.

But as a preamble, let's first reflect on one relevant verse from the Qur'an.

وَلَا تَقْفُ مَا لَيْسَ لَكَ بِهِ عِلْمٌ إِنَّ السَّمْعَ وَالْبَصَرَ وَالْفُؤَادَ كُلُّ أُولَئِكَ كَانَ عَنْهُ مَسْئُولًا

> *And never concern thyself with anything of which thou hast no knowledge: verily, [thy] hearing and sight and heart - all of them - will be called to account for it (on Judgment Day) (Qur'an 17:36).*

One eminent Qur'anic scholar, Mohammad Asad along with other Qur'anic exegetes have suggested the phrase "***And never concern thyself with anything of which thou hast no knowledge***"

as a Qur'anic directive to prevent people from forming opinions based on guesswork, which one is unable to support with evidence – in other words to speak without knowledge is discouraged.

Most Muslims assert that women of deceased husband must be confined in their home for four months and ten days regardless of their age, social and economic conditions. This, they say is based on the rulings associated with the term called ***Iddat***. Even though, many of them do not have any clue or knowledge behind this ruling, they will vehemently attest to such confinement based on nothing but '**hearsay**'.

It is generally believed that during the *Iddat* period, a widow must not get married to another man, while others say the waiting period is necessary to ascertain if the widow is pregnant from their deceased husband. Others believe such confinement is necessary to prevent unnecessary and frivolous gossip that may circulate amongst family, friends, and neighbours particularly if the widow is pregnant, in which case their going out of the house would become the cause of suspicion about her pregnancy. Besides, they claim it would be easier to determine the legitimate heir of the child if they were pregnant, therefore such confinement was necessary. However, in the current day and age, pregnancy of a woman can be ascertained with certainty immediately after the death of her husband.

Such beliefs without knowledge not only contravene the Qur'anic injunction of "*not to speak without knowledge*" (as per verse quoted earlier), but it also creates aberration of the true faith of Islam as enshrined by the Qur'an and the *Sunnah* of the Prophet Muhammad.

When a husband passes away, the wife of the deceased husband is expected to confine herself in her home as a customary practice to complete the period of *Iddat* - The '**Hearsay Factor**' comes into play without giving any due regards to the circumstances of her social, economic, or mental conditions.

Let us now reflect on the meaning and significance behind the term *Iddat*?

Literal meaning of *Iddah* or *Iddat* is to keep count, a period of reckoning or a prescribed term. In simple English, *Iddat* is the period a woman must observe after the death of her husband or after a divorce, during which she may not marry another man. Such restriction was necessary to remove any doubt as to the paternity of a child born after the death or divorce of the prior husband.

In Islamic legal terminology, *Iddat* comes into effect under two circumstances:

1. After the death of husband.
2. After an irrevocable divorce.

Although the primary intent of this article is to address the first item above, we will touch on item two as well. But before we get to the topic, let us first illustrate how the Qur'an uses the term *Iddat* and its other root forms under different situations:

The Qur'an uses the word *Iddat* or its other root forms in various situations. For example:

- The number of fasting days (*ma'dudatin)* – Verse 2:184.
- The number of months in a year as being 12, four of them being sacred (*Iddat*a – verse 9:36).

- Unknown number of sleepers in the cave conjectured by some (*Iddatihim* – Verse 18:22).
- To denote the number of angels as wardens over the fire and their number as a trial for the disbelievers (*Iddatahum* - Verse74:31).

It is worth noting none of these Qur'anic verses deal with the term *Iddat* as relating to either the death of husband or divorce.

Qur'anic verses specific to women use the term *Iddat* to indicate:

- (*Iddatin in verse 33:49*) – no *iddat* period is necessary when women are divorced without marriage consummation.
- (*Iddatahunna in verse 65:4*) – An *iddat* period of three regular months for divorced women ***whose menstrual periods cannot be determined for whatever reason or reasons***.
- (*Iddatahunna / ajaluhunna in verse 65:4*) An *Iddat* period of a childbearing divorced woman is till the end of the term when her baby is delivered; that is if it is ascertained that she was pregnant when her husband passed away.

It is worth noticing, **none of the cases listed above refer to confining women to their homes**. Nonetheless, let us now reflect over the two primary verses that deal with the term *Iddat* that is specific to this article.

The first verse below deals with the term *Iddat* in the case of a divorce, the second one deals with the death of husband.

In the case of an irrevocable divorce, ***the waiting period (Iddat) is three months or to be more precise three menstrual cycles***:

وَاللَّائِي يَئِسْنَ مِنَ الْمَحِيضِ مِن نِّسَائِكُمْ إِنِ ارْتَبْتُمْ فَعِدَّتُهُنَّ ثَلَاثَةُ أَشْهُرٍ وَاللَّائِي لَمْ يَحِضْنَ وَأُوْلَاتُ الْأَحْمَالِ أَجَلُهُنَّ أَن يَضَعْنَ حَمْلَهُنَّ وَمَن يَتَّقِ اللَّهَ يَجْعَل لَّهُ مِنْ أَمْرِهِ يُسْرًا

*Now as for such of your women as are beyond the age of monthly courses, as well as for such as do not have any courses, their waiting-period (fa Iddatuhunna as per red highlighted above) - if you have any doubt [about it] - shall be **three [calendar] months**; and as for those who are with child, the end of their waiting-term shall come when they deliver their burden (child). And for everyone who is conscious of God, He makes it easy to obey His commandment. (Qur'an 65:4)*

Whereas, ***in the case of the death of the husband the waiting period is four months and ten days***:

وَالَّذِينَ يُتَوَفَّوْنَ مِنكُمْ وَيَذَرُونَ أَزْوَاجًا يَتَرَبَّصْنَ بِأَنفُسِهِنَّ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا فَإِذَا بَلَغْنَ أَجَلَهُنَّ فَلاَ جُنَاحَ عَلَيْكُمْ فِيمَا فَعَلْنَ فِي أَنفُسِهِنَّ بِالْمَعْرُوفِ وَاللّهُ بِمَا تَعْمَلُونَ خَبِيرٌ

*If any of you die and leave widows behind, they shall wait (yatarabbaṣna) as per red highlighted above) concerning themselves **four months and ten days**: When they have fulfilled their term, there is no blame on you if they dispose of themselves in a just and reasonable manner. And God is well acquainted with what you do. (Qur'an 2:234)*

Interestingly enough, the Qur'an uses the term '*Iddat*' to denote a waiting period for a divorced women (as per highlighted in verse 65:4 above), **but does not use the term '*Iddat*'** or its other

derivatives to denote the waiting period for a widow, rather in verse 2:234 above it uses the term '*yatarabbaṣna*' (as highlighted above).

In either situation, the Qur'an does not in any way indicate the widow or a divorced woman be confined to her homes.

So where did this misunderstanding come from?

The verse 65:1, directs the Prophet, and as such to the believers at large, not to make the divorce final until the waiting period (*Iddat*) is complete; it uses the term '*Iddatahunna*'. It also advises him **not to turn them out of their houses (*tukhrijuhunna*) and restates that women shall not leave their residence (*yakhrujna*) during the *iddat* period.**

> *O Prophet! When ye do divorce women, divorce them at their prescribed periods, and count (accurately), their prescribed periods: And fear Allah your Lord: and turn them not out of their houses, nor shall they (themselves) leave, ….. (Qur'an 65:1)*

Some Muslims interpret this to literally mean: "Women during the *Iddat* period must not go outdoors; this is not correct.

There seems to be a high possibility, that while reading the translations of the Qur'an in another language, Muslims at large read the verses 65:1 above as a command for the divorced wives not to leave the house during the period of *Iddat* as highlighted in red above. This is then extended in the situation for widows. This interpretation is generally disseminated to the Muslims masses through **hearsay**.

Conclusion:

During the '*Iddat*' (waiting period) due to her husband's death, a widow is entitled or has full legal rights to remain in her husband's house. That is, she should not be forced out of the house by her husband's relatives, which was quite common during the pre-Islamic and early centuries of Islam. However, if she chooses to leave the residence at her own will, she may do so as per the verse below.

> *Those of you who die and leave widows should bequeath for their widows a year's maintenance and residence**; but if they leave (the residence**), there is no blame on you for what they do with themselves, provided it is reasonable. And God is Exalted in Power, Wise. (Qur'an 2:240*

From the verse above, it clearly indicates women have a choice to leave her residence if she so choses. Contrary to this Qur'anic injunction, many Muslims believe that the widow is not allowed to leave the house under any scenario.

None of the Qur'anic verses or the Sunnat of the Prophet (refer below) even so much as insinuate the need to confine or almost incarcerate women in their homes. This is corroborated by Muslims Jurists. Such confinement of a widows, therefore, is nothing short of contravention of the Qur'an.

Let's illustrate this with an example or two from the Sunnah of the Prophet:

> *"Jabir bin Abdullah (RA) said: My maternal aunt was divorced and she wanted to harvest her date palms. A man rebuked her for going out, so she went to the Prophet (PBUH), and he said,*

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> *"No, go out and harvest your date palms, for perhaps you will give charity or do an act of kindness." (Hadith 3721, Divorce, in Vol 4 Sahih Muslim)*

Ibn Abbas's (RA), a close companion of the Prophet, suggested that a woman can observe her '*Iddat*' wherever she wants. This is the view of Ali (RA) as well. That means, a woman, during her period of Iddat may choose to go to her parent's or another relative's home where she may feel more comfortable, safe and secure.

Therefore, a woman observing '*Iddah'* is allowed to go out as and when required to fulfil her obligations and responsibilities towards those who are alive. So, for example, after her husband's death, if there is/are dependent person(s) residing with her, she may be required to go out to fulfil the needs of those who are residing with her. If she alone cannot fulfil the role of assisting the responsibilities of those who are dependent on her, she along with her dependents may choose to go to her parent's home for support or any support place for that matter.

The *Shari'ah* in Islam is not meant to be rigid or cause undue hardship, it is in fact a comprehensive guide to life here on earth that provides flexibility and coupled with major principles called *Maqasid al Shari'ah (*objectives and goals of *Shari'ah,* and together with *Maslaha Mursalah* (welfare or public interest), *Iddat* period for women cannot be perceived as a means to cause undue hardship by confining them in their homes in seclusion.